Consult early with SWRCB Division of Water Rights and with legal counsel familiar with water right law to determine the status of water rights on any affected waterway. Assess the potential for protests to determine the feasibility of the proposed project. Develop mitigation to address potential concerns. **Potential Scenarios** If the project requires . . . changes in a point of changes in the quantity of obtaining the right to divert and use diversion, place of use, or water used under an existing surface water . . . purpose of use of existing appropriative <surface> water appropriative <surface> right, or the season when it is . . pumping the underflow of a surface stream water rights . . . used . . . or other subterranean stream with a known and definite channel . . . Apply for amended water right. Apply for new water right permit/license. SWRCB issues notice of application, which applicant posts or publishes. SWRCB reviews application and analyzes Does SWRCB receive protests against environmental impacts of proposed the application or otherwise require appropriation in compliance with CEQA. additional information? No Yes Does SWRCB approve the SWRCB refers dispute to mediation or, if application? needed, holds a formal or informal hearing to obtain evidence necessary to support a decision on the application. Yes No Redesign project. SWRCB issues permit. SWRCB denies water rights. Appeal decision. SWRCB confirms the terms and conditions of the permit Applicant begins and completes construction and makes full beneficial use of the water. and issues a license.

Figure 13
Process for Permit to Appropriate Water